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Attorneys for Defendant  
KIMBER MANAGEMENT, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NORTHERN CALIFORNIA RIVER WATCH,  
Plaintiff,  
vs.  
KIMBER MANAGEMENT, LLC, et al.,  
Defendant.

Case No. C09-03737 SC

**STIPULATION FOR EXTENSION OF  
TIME TO FILE RESPONSIVE PLEADING;  
[PROPOSED] ORDER THEREON**

Plaintiff NORTHERN CALIFORNIA RIVER WATCH ("Plaintiff") and Defendant  
KIMBER MANAGEMENT, LLC ("Kimber"), by and through their respective counsel of record,  
hereby stipulate as follows:

**STIPULATION**

WHEREAS, Plaintiff served Kimber with the Complaint by Notice of Lawsuit and  
Request to Waive Service of Summons on August 18, 2009;

WHEREAS, Kimber accepted service by its attorney's execution of the Waiver of Service  
of Summons on September 17, 2009; and

WHEREAS, Kimber's responsive pleading is therefore currently due on October 19, 2009.

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The parties now hereby stipulate to extend Kimber's time to plead or otherwise respond to the Complaint by thirty (30) days, to and including **November 18, 2009**.

Dated: September 28, 2009

LAW OFFICE OF JACK SILVER  
JACK SILVER

By: /s/ Jack Silver

JACK SILVER  
Attorneys for Plaintiff  
NORTHERN CALIFORNIA RIVER  
WATCH

Dated: September 28, 2009

ALLEN MATKINS LECK GAMBLE  
MALLORY & NATSIS LLP  
SANDI L. NICHOLS

By: /s/ Sandi L. Nichols

SANDI L. NICHOLS  
Attorneys for Defendant  
KIMBER MANAGEMENT, LLC

Attestation Regarding Signature: This document is being filed electronically under my user ID and Password. Pursuant to General Order 45, section XB, I hereby attest that concurrence in the filing of this document has been obtained from the other signatory to this document.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and was executed on September 28, 2009, in San Francisco, California.

/s/ Sandi L. Nichols

SANDI L. NICHOLS

**[PROPOSED] ORDER**

Pursuant to the above Stipulation of the parties, Kimber's responsive pleading in this action shall be due on November 18, 2009.

**IT IS SO ORDERED.**

DATED: 10/1/09

